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Dated: September 28, 2004 Signature: *Lisa H. Smith*

(Lisa H. Smith)

Docket No.: 02008/136002
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masahiro Ishida et al.

Application No.: 10/824,763

Filed: April 14, 2004

For: TESTING APPARATUS AND TESTING
METHOD

Confirmation No.: 6730

Art Unit: N/A

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed July 29, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, an Application Data Sheet, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), a Substitute Specification (English translation), Formal Drawings (22 figures, 15 pages), a Verification of Translation, and Part 2 Copy of Notice.

Please charge our Credit Card in the amount of \$1,116.00 covering the fee set forth in 37 CFR 1.16(e) and 1.16(a). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with

any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0591, under Order No. 02008/136002. A duplicate copy of this paper is enclosed.

Dated: September 28, 2004

Respectfully submitted,

By 

Jonathan P. Osha

Registration No.: 33,986

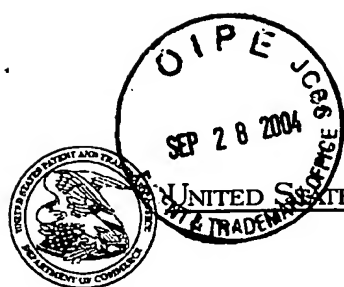
OSHA & MAY L.L.P.

1221 McKinney St., Suite 2800

Houston, Texas 77010

(713) 228-8600

(713) 228-8778 (Fax)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824,763	04/14/2004	Masahiro Ishida	02008.136002

CONFIRMATION NO. 6730

FORMALITIES LETTER



OC000000013369334

Jonathan P. Osha
 OSHA & MAY L.L.P.
 Suite 2800
 1221 McKinney St.
 Houston, TX 77010

Date Mailed: 07/29/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/30/2004 MMEKONEN 00000058 10824763

01 FC:1001	770.00 OP
02 FC:1051	130.00 OP
03 FC:1053	130.00 OP
04 FC:1201	86.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 2, 4A, 4B, 5, 8, 10, 11, 12, 13, 14, & 15.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1030** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Application No. (if known): 10/824,763

Attorney Docket No.: 02008/136002

Certificate of Express Mailing Under 37 CFR 1.10

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on September 28, 2004
Date

Signature

Lisa H. Smith

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Application Data Sheet



FEE TRANSMITTAL for FY 2004 <small>Effective 10/01/2003. Patent fees are subject to annual revision.</small>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/824,763-Conf. #6730
TOTAL AMOUNT OF PAYMENT (\$) 1,116.00		Filing Date	April 14, 2004
		First Named Inventor	Masahiro Ishida
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
		Attorney Docket No.	02008/136002

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																	
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES																																	
<input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 50-0591 Deposit Account Name: Osha & May L.L.P. The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																			
FEE CALCULATION																																			
1. BASIC FILING FEE																																			
<table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee Code</th><th></th><th></th></tr></thead><tbody><tr><td>1001 770</td><td>2001 385</td><td>Utility filing fee</td><td>770.00</td></tr><tr><td>1002 340</td><td>2002 170</td><td>Design filing fee</td><td></td></tr><tr><td>1003 530</td><td>2003 265</td><td>Plant filing fee</td><td></td></tr><tr><td>1004 770</td><td>2004 385</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005 160</td><td>2005 80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="2">SUBTOTAL (1) (\$) 770.00</td><td colspan="2"></td></tr></tbody></table>		Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code	Fee Code			1001 770	2001 385	Utility filing fee	770.00	1002 340	2002 170	Design filing fee		1003 530	2003 265	Plant filing fee		1004 770	2004 385	Reissue filing fee		1005 160	2005 80	Provisional filing fee		SUBTOTAL (1) (\$) 770.00					
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2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE																																			
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** or number previously paid, if greater; For Reissues, see above																																			
		Other fee (specify)																																	
		*Reduced by Basic Filing Fee Paid																																	
		SUBTOTAL (3) (\$) 260.00																																	

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Jonathan R. Osha	Registration No. (Attorney/Agent)	33,986
Signature		Telephone	(713) 228-8600
		Date	September 28, 2004

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